

MULLIN HOARD & BROWN, L.L.P.

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Gibson Investments, Wendell Lee Gibson and Paula Gibson

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

<b>In Re:</b>	§	
	§	
<b>GIBSON FARMS</b>	§	<b>Case No. 20-20271-RLJ-11</b>
	§	
<b>Debtor.</b>	§	
<b>In Re:</b>	§	
	§	
<b>NATURE'S WAY COMPOST, LLC</b>	§	<b>Case No. 20-20272-RLJ-11</b>
	§	<b>(Jointly Administered Under</b>
<b>Debtor.</b>	§	<b>Case No. 20-20271-RLJ-11)</b>
<b>In Re:</b>	§	
	§	
<b>GIBSON INVESTMENTS</b>	§	<b>Case No. 20-20273-RLJ-11</b>
	§	<b>(Jointly Administered Under</b>
<b>Debtor.</b>	§	<b>Case No. 20-20271-RLJ-11)</b>
<b>In Re:</b>	§	
	§	
<b>WENDELL LEE GIBSON and wife, PAULA GIBSON</b>	§	<b>Case No. 20-20274-RLJ-11</b>
	§	<b>(Jointly Administered Under</b>
<b>Debtors.</b>	§	<b>Case No. 20-20271-RLJ-11)</b>

**DEBTORS' MOTION FOR EMERGENCY HEARING AND TO  
SHORTEN NOTICE ON DEBTORS' EMERGENCY MOTION TO ACCEPT  
RESIDENTIAL LEASE AGREEMENTS**

TO THE HONORABLE ROBERT L. JONES, U.S. Bankruptcy Judge:

NOW COME, GIBSON FARMS, NATURE'S WAY COMPOST, LLC, GIBSON

INVESTMENTS, and WENDELL LEE GIBSON and wife, PAULA GIBSON (the “Debtors”) the Debtors in the above-entitled and numbered bankruptcy proceeding, and pursuant to Bankruptcy Rule 9006(c) and Local Bankruptcy Rule 9003.1, files this Debtors’ Motion for Emergency Hearing and to Shorten Notice on Debtors’ Expedited Motion To Accept Residential Lease Agreements (the “Expedited Motion”). In support, the Debtors would show:

1. The Debtors assert that a need exists for an expedited hearing and good cause exists to reduce the notice period on its Expedited Motion.

2. For cause, Debtors would show there is an immediate need for Debtors to be allowed to accept the Residential Leases and allow Debtors to pay the required rent as it comes due. The payment of this rent for Debtors’ H-2A employees is required pursuant to the terms of the program under the U.S. Department of Labor. If the Debtors are not allowed to accept these Residential Leases and pay the rent as required for its H-2A employees the estates will suffer immediate and irreparable harm.

For these reasons, the Debtor requests an emergency hearing on its Emergency Motion upon limited and shortened notice.

3. Accordingly, pursuant to Bankruptcy Rule 9006, the Debtors seek an emergency hearing with notice to only to those parties that are subject to the Residential Leases, as well as the parties filing a Notice of Appearance in the case, and the shortening of the notice period for its Emergency Motion, so that it may be considered and ruled upon immediately. The Debtors requests that the notice period for objections to its Motion be shortened from twenty-one (21) days to five (5) days, and that a hearing on the Emergency Motion be set for **Thursday, October**

**22, 2020 at 10:00 a.m.** at the U.S. Courthouse, Bankruptcy Courtroom, 205 Southeast Fifth Avenue, Third Floor Courtroom, Amarillo, Texas 79101-1559 .

WHEREFORE, PREMISES CONSIDERED, the Debtors pray that the Court 1) set an expedited hearing for **Thursday, October 22, 2020 at 10:00 a.m.** 2) shorten the notice period for its Expedited Motion from twenty-one (21) days to five (5) days, and that notice only be given to those parties that are subject to the Residential Leases, as well as the parties filing a Notice of Appearance in the case; 3) find that such notice is adequate under the circumstances, and 4) grant Debtor such other and further relief, at law or in equity, as the Court may deem necessary and proper.

Respectfully Submitted,

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By: /s/ David R. Langston

David R. Langston; SBN 11923800

***Attorneys for Debtors, Gibson Farms, Nature'  
Way Compost, LLC, Gibson Investments and  
Wendell & Paula Gibson***

### **CERTIFICATE OF CONFERENCE**

This is to certify that I conferred with Michael Johnson, counsel for Rabo Agrifinance and Donna Webb, counsel for U.S. Small Business Administration, on October 16, 2020, and both indicated that they had no objection to the requested relief.

/s/ David R. Langston

David R. Langston

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Motion was served on the following parties in interest via ECF and/or regular U.S. Mail on this 16<sup>TH</sup> day of October, 2020:

1. Wendell & Paula Gibson  
Gibson Farms, Gibson Investments  
and Nature's Way Compost, LLC  
P.O. Box 777  
Dumas, Texas 79029  
***Debtors***
2. U.S. Trustee's Office  
1100 Commerce St., Room 9C60  
Dallas, Texas 75242
3. Heath Hendricks  
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320 South Polk Street  
Amarillo, Texas 79101-1426  
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***Attorney for Rabo Agrifinance***
4. Michael R. Johnson  
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***Attorney for Rabo Agrifinance***
5. Donna Webb  
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Dallas, Tx. 75242  
[donnawebb@usdoj.gov](mailto:donnawebb@usdoj.gov)  
***Attorney for U.S. Small Business Administration***
6. Bart and Blenda Arbuthnot  
518 West 7<sup>th</sup> P.O. Box 1504  
Dumas, Tx. 79029
7. Beauchamp Estates Partnership  
P.O. Box 777  
Dumas, Tx. 79029

Debtor's Motion For Expedited Hearing on  
Motion for Authority to Ratify and Reaffirm  
Crop Operating Loan

8. Otto Chavez  
115 N. Meredith  
Dumas, Tx. 79029
9. Willis Rentals  
503 E. 1<sup>st</sup> St.  
Dumas, Tx. 79029
10. All parties in interest receiving ECF Notice in this case.

/s/ David R. Langston  
David R. Langston